

CLASSIFICATION OFFICE DECISION

Title of publication: High Times: March 2012

Other known title(s): High Times: No. 434

OFLC ref: 1200339.000

Medium: Magazine

Distributor: Gordon & Gotch

Publisher: Trans-High Corporation

Country of origin: United States

Language: English

Applicant: Gordon & Gotch

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 31 May 2012

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The magazine is classified as objectionable. The decision is based on the extent and degree to which, and the manner in which, the magazine promotes and encourages criminal activity under s3(3)(d) of the Films, Videos, and Publications Classification Act 1993.

The publication is a "lifestyle" magazine, with a particular focus on the cultivation of cannabis. The magazine is published in the United States and its content is almost entirely focused on North America. Of particular concern to the Classification Office is the extensive easy-to-follow instructional material on the cultivation of cannabis aimed at those with no knowledge or experience of cannabis cultivation. The publication has a significant proportion of its content instructing the reader on the cultivation of cannabis. The inclusion of other material of general interest to cannabis users and those interested in the reform of marijuana laws does not sufficiently mitigate the high extent and degree to which the publication promotes and encourages the criminal act of cannabis cultivation.

Having considered the provisions of the New Zealand Bill of Rights Act 1990 throughout the Classification Office's application of the statutory criteria to this publication, and having

identified the potential injury to the public good from the availability of this publication, it is apparent that injury to the public good is likely to result from the publication being made available to anyone, regardless of age. Although a classification of "objectionable" interferes with the right to freedom of expression, it is the only classification that sufficiently reduces the risk presented by the availability of the publication.